

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, DECEMBER 6, 1999  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Mayor Golding at 2:04 p.m. Mayor Golding honored and presented a plaque to Deputy Mayor Wear commemorating two years as the Deputy Mayor for the City of San Diego. Deputy Mayor Wear stated that he is proud to be a part of this City Council and to have served as Deputy Mayor. Mayor Golding adjourned the meeting at 6:54 p.m. into Closed Session on Tuesday, December 7, 1999, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation and property negotiations.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (ew)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Rabbi Avram Bogopulsky of Beth Jacob Congregation.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Carl Lind recognizing City Clerk Charles Abdelnour for an Office well ran. He also stated that the City Clerk's Office is courteous and responsive.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A028-042.)

PUBLIC COMMENT-2:

Comments by Don Stillwell stating that last week he had asked the Council Members to use their influence on the providers of the Six-to-Six Academic Enrichment Programs for school children by adding original American History in the form of a tract. He further stated that he has supplied each Council Member with that tract.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A043-064.)

PUBLIC COMMENT-3:

Comments by Jim Lewan wishing that someone would explain to him why 435 of the 1,979 luxury hotel rooms at the five major hotels on Mission Bay were not occupied last night or tonight. He also stated that De Anza Community pays higher rents than any other lease hold on Mission Bay.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A065-088.)

PUBLIC COMMENT-4:

Comment by David Bruce Thompson regarding the Public Access Channel in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A089-115.)

PUBLIC COMMENT-5:

Comments by Thomas D. Glasser inviting the Mayor and City Council to the Sherman Heights area to see the Chicano Federation and what has happened. He stated that he has a real problem with the inspection department.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A116-148.)

PUBLIC COMMENT-6:

Comments by Diane Dixon praising and thanking Council Member McCarty for her “no” vote for the stream; Council Member Kehoe and her Office for helping Catholic sisters in District 3 that were having problems with their parking; Council Members Vargas and Wear for working hard on homeless issues; and Mayor Golding for her item and work on the Program to Assist Special Needs Homeless Population.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A149-161.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comments by Council Member Vargas regarding racist literature that was distributed last week in the Logan Heights Community. He stated that he notified the San Diego Police Department about these threats.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A162-183.)

COUNCIL COMMENT-2:

Comments by Council Member Kehoe regarding the North Park Toyland Parade held last Saturday and that it was a tribute to Readers are Leaders. She also stated that when she was in Washington, D.C. accepting the award, she gave tribute to the City Council for its unanimous support for the nationally award-winning Urban Redevelopment Project for the City Heights area.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A184-202.)

COUNCIL COMMENT-3:

Comments by Council Member Stallings thanking the Navy for providing the space for the new Police Store Front in Pacific Beach.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A203-220.)

COUNCIL COMMENT-4:

Comments by Council Member Wear stating that he and Brian Bilbray held a press conference last Friday, and that Brian Bilbray has provided through his support \$3 million from the Federal Government to the City of San Diego to help fund the City's low flow Storm Water Diversion System. He also commented the Parade of Lights held last night was great and that there will be additional Parade of Lights on Sunday, December 12<sup>th</sup> at 5:30 p.m., and on Saturday, December 18<sup>th</sup> in Mission Bay.

Council Member Wear expressed concern about Rosecrans, the State Highway, and the fact that the City is not making progress with this project and that he has received inconsistent information. He requested that the City Manager: 1) investigate and determine if Dietrich Corporation is doing the job; and 2) work cooperatively with CALTRANS to get the street resurfaced. He also stated that the City needs to have new policies and procedures to assure a very quick and responsive action regarding this problem.

City Manager Uberuaga responded that he will write a specific report identifying the course of the project, what he has done with regard to this project, and the performance issues for Dietrich Corporation. He also stated that he will work with CALTRANS to get it repaved as soon as possible.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A221-248.)

**COUNCIL COMMENT-5:**

Comments by Mayor Golding regarding the address she had given at the World Trade Organization in Seattle. She had clarified that her comments were that the City should avoid any new barriers or new taxation on the Internet, not on computers. She believes very strongly that the City should wait before they intervene and do anything to stifle the innovation that is occurring in San Diego. She further explained that the people who pay sales taxes are the consumers, not the businesses.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A249-311.)

ITEM-30: Approval of Council Minutes.

**TODAY'S ACTION IS: APPROVED**

Approval of Council Minutes for the meetings of:

- 11-08-99
- 11-09-99
- 11-09-99 Special Joint Meeting
- 11-15-99 Adjourned
- 11-16-99 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A352-359.)

MOTION BY KEHOE TO APPROVE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Small Business Advisory Board Day.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-687) ADOPTED AS RESOLUTION R-292509

Recognizing the Small Business Advisory Board as a critical and vital component of the City's efforts to provide opportunities for enterprise unlike any other city in the nation;

Proclaiming December 6, 1999 to be "Small Business Advisory Board Day" in recognition of the board's outstanding performance and dedication on behalf of the people of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A524-B079; B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: First Night San Diego Day.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-660) ADOPTED AS RESOLUTION R-292510

Proclaiming December 6, 1999 to be "First Night San Diego Day" in San Diego with deep appreciation for all the individuals, organizations, and businesses that have devoted time and resources to creating a stronger, safer, and healthier San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B080-143; B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33: Special Presentation of the Les Ernest Award to Helen Duffy.

RETURNED TO COUNCIL MEMBER WEAR

The Les Ernest Award is presented by San Diego Bayfair/Thunderboats Unlimited for excellence in work towards Mission Bay.

(Docketed at the request of Deputy Mayor Wear.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B203-206; B297-C082.)

CONSENT MOTION BY STALLINGS TO RETURN TO COUNCIL MEMBER WEAR AT HIS REQUEST SINCE HELEN DUFFY WAS NOT ABLE TO ATTEND MEETING. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: Rua Johnson Day.

**COUNCILMEMBER STALLINGS'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-630) ADOPTED AS RESOLUTION R-292511

Proclaiming December 6, 1999 to be "Rua Johnson Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B144-202; B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: Recognition and Presentation of Attorney of the Year 1999 Award.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-661) ADOPTED AS RESOLUTION R-292508

Recognizing and presenting Attorney of the Year 1999 Award.

**CITY ATTORNEY'S SUPPORTING INFORMATION:**

The attorneys in the San Diego City Attorney's Office Civil Division protect the quality of life and the public funds of the people of San Diego by defending and prosecuting civil lawsuits, and advising and counseling the City. They provide legal services to the City with professionalism and excellence, focusing on:

1. Just, effective, and ethical lawyering
2. Early intervention and proactive problem solving; and,
3. Promoting public awareness of legal issues affecting the people of San Diego.

The attorneys meet these goals with a dedicated staff in a challenging, congenial, cohesive, and professional working environment where everyone is treated with dignity and respect.

**PURPOSE**

The Attorney of the Year Award acknowledges and rewards the Civil Division Deputy City Attorney whose professional accomplishments, abilities, and contributions to the community best demonstrated and fulfilled the goals of the San Diego City Attorney's Office during the last year.

**NOMINATIONS**

Anyone may nominate any deputy in the Civil Division who meets the eligibility requirements. Nominations must be submitted in writing to Anita Noone by 5:00 p.m. on October 22, 1999.

**ELIGIBILITY**

- Deputy in the Civil Division
- Full-time or part-time
- Employed as a deputy for all of the 1999 calendar year

Swett

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A360-523; B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,

Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-50: An Ordinance Amending the Land Development Code relating to the Model Building Codes and the Title of "Development Services Director".

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/22/99. (Council voted 9-0):

(O-2000-22) ADOPTED AS ORDINANCE O-18728 (New Series)

Amending the Land Development Code (LDC) to adopt the 1998 Model Building Codes and to change the reference to Development Services Director to Planning and Development Review Director.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-51: Amending the San Diego Municipal Code relating to Entry into Qualcomm Stadium Parking Lot.

(Mission Valley Community Area. District-6.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/22/99. (Council voted 9-0):

(O-2000-39) ADOPTED AS ORDINANCE O-18729 (New Series)

Amending Chapter 5, Article 9, Division 1, of the San Diego Municipal Code by amending Sections 59.0102 and 59.0104 relating to entry into Qualcomm Stadium Parking Lot, to provide for access to the parking lot at Qualcomm Stadium for First Amendment related activities during overflow capacity events.

FILE LOCATION: MEET (61)

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-52: Ordinance Relating to Card Room Regulations.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/23/99. (Council voted 5-4. Councilmembers Stevens, McCarty, Vargas and Mayor Golding voted nay):

(O-2000-29) ADOPTED AS ORDINANCE O-18730 (New Series)

Amending Chapter III, Article 3, Division 39, of the San Diego Municipal Code by amending Sections 33.3906 and 33.3911, and adding Sections 33.3921, 33.3922, and 33.3923, relating to Card Room Regulations, to implement State law requirements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-nay.

ITEM-53: Seal Rock Marine Mammal Reserve.

(La Jolla Community Area. District-1.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced as amended on 11/23/99.  
(Council voted 5-4. Councilmembers Mathis, Wear, Stevens and McCarty voted nay):

(O-2000-71) TRAILED TO TUESDAY, DECEMBER 7, 1999, DUE TO A  
LACK OF FIVE AFFIRMATIVE VOTES

Amending Chapter VI, Article 3, Division 10 of the San Diego Municipal Code by  
repealing and reenacting Section 63.1001, relating to Seal Rock Marine Mammal  
Reserve, to permanently establish the Seal Rock Mammal Reserve with a review  
by Council within 5 years.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F201-G181.)

Motion by McCarty to discontinue this talk of a Marina Mammal Reserve on Seal Rock.  
Second by Wear. No vote taken.

Substitute Motion by Vargas to adopt. Second by Stallings. Failed. Yeas-5,6,8,M. Nays-  
1,2,4,7. Not present-3.

Motion by Mathis to adopt as amended to not ban access by swimmers or divers in the  
water around the rock but to limit the restrictions to accessing the rock itself. Second by  
Wear. Failed. Yeas-1,2,4,7. Nays-5,6,8,M. Not present-3.

Mayor Golding announced that this item will trail to Tuesday, December 7, 1999, due to a  
lack of five affirmative votes.

- \* ITEM-54: Montaña Mirador Development Agreement.

The Development Agreement will facilitate the City's ability to acquire the 633-acre Montaña Mirador property, located within the Rancho Peñasquitos Community Planning area, for open space habitat preservation purposes pursuant to the previously approved Option Agreement, which provides the City exclusive rights to purchase the property at fair market value as established on its pre-approved map basis. The Development Agreement also vests the rights of the owner to develop the Montaña Mirador property should the City elect not to acquire the property at the end of the four-year option period.

(87-0924. Rancho Peñasquitos Community Area. District-1.)

**NOTE:** The public testimony portion of the hearing is closed.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/23/99. (Council voted 7-0. Councilmembers Stevens and Warden not present):

(O-2000-67) ADOPTED AS ORDINANCE O-18731 (New Series)

Approving the Montaña Mirador Development Agreement between the City of San Diego and Westbrook Peñasquitos, L.P.

**FILE LOCATION:** DEVL - Montana Mirador [07]

**COUNCIL ACTION:** (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-100: Amending the 1999 Legislative Calendar for the City of San Diego by adding a Council meeting at 2:00 p.m. on Tuesday, December 14, 1999.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-699) ADOPTED AS RESOLUTION R-292512

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999 to add a Council meeting at 2:00 p.m., on Tuesday, December 14, 1999, in Council Chambers, 202 "C" Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-101: Canyonside Community Park Tennis Courts.

(Rancho Peñasquitos Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-503) ADOPTED AS RESOLUTION R-292513

Accepting the low bid of Court Concepts, Inc., for Canyonside Community Park Tennis Courts and authorizing a contract in the amount of \$496,316.99;

Authorizing the transfer of \$200,000 from Hilltop Community Park, FBA Fund No. 7904, CIP-29-282.1; \$75,000 from Black Mountain Ranch Development Agreement, Fund No. 392190; \$75,000 from Park Village Estate Development Agreement, Fund No. 392044, to CIP-29-441.0, Canyonside Community Park Tennis Courts;

Authorizing the additional expenditure of not to exceed \$458,200 from CIP-29-441.0, Canyonside Community Park Tennis Courts: \$131,164 from Los Peñasquitos East, Fund No. 10596; \$177,036 from Facilities Benefit Assessment Fund 79004; \$75,000 from Black Mountain Ranch Development Agreement, Fund No. 392190; and \$75,000 from Park Village Estate Development Agreement, Fund No. 392044;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K02004)

**CITY MANAGER SUPPORTING INFORMATION:**

Canyonside Community Park is located at 12350 Black Mountain Road in the Rancho Peñasquitos Community Planning Area. The proposed project will provide for the addition of six (6) lighted tennis courts, retaining walls, paving, fencing, drainage improvements, landscaping and irrigation.

Due to the expanded scope of the project, the bids received on September 2, 1999, came in over the Engineer's estimate. Court Concepts is the apparent low bidder. Additional funding will allow this project to be awarded and commence construction.

**FISCAL IMPACT:**

The estimated project cost is \$675,000 of which \$216,800 has been previously authorized. The balance of \$458,200 is available in CIP-29-441.0 (\$308,200), Black Mountain Ranch Developer Agreement Fund No. 392190 (\$75,000) and Park Village Estate Developer Agreement, Fund No. 392044 (\$75,000). The annual maintenance and operation of the courts will be the responsibility of the existing tennis court association.

Loveland/Belock/AO

Aud. Cert. 2000528.

FILE LOCATION: CONT - Court Concepts, Inc.

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102: Two actions related to Approving the Final Subdivision Map of Sabre Springs Parcels 28, 29 and 30 Unit No. 1.

(Sabre Springs Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-611) ADOPTED AS RESOLUTION R-292514

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-2000-548) ADOPTED AS RESOLUTION R-292515

Approving the final map.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 18.487 acre site into 94 lots for residential development and 4 lots identified as Building Restricted Easements. It is located south of Poway Road in the Sabre Springs Community Plan area. A tentative map of the subdivision has previously been

approved, subject to the requirements and conditions contained in City Planning Commission Resolution No. 2790 and Planned Residential Permit No. 98-0443, recorded June 17, 1999, Document No. 1999-0424764. The public improvements required for this subdivision are shown in detail on Drawing Numbers 29895-1-D through 29895-10-D, filed in the Office of the City Clerk under Micro Number 140.18. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$744,854 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$25,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Sabre Springs Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefit Assessment (FBA), including parks, at the time of building permit issuance. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

**FISCAL IMPACT:**

None.

Culbreth-Graft/Haase/SH

FILE LOCATION: Subitems A & B: SUBD - Sabre Springs Parcels 28, 29 & 30 Unit No. 1 (40)

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103: Commendation for Service to Joe Graham, San Diego Association of Realtors.

**COUNCILMEMBER MATHIS'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-693) ADOPTED AS RESOLUTION R-292516

Recognizing and commending Joe Graham for his many contributions and exemplary service to the San Diego Real Estate Industry as 1999 President of the San Diego Association of Realtors on the occasion of the San Diego Association of Realtors Annual Installation Dinner, December 10, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104: Excusing Councilmember Kehoe from the PS&NS Meeting of 11/10/99.

**COUNCILMEMBER KEHOE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-620) ADOPTED AS RESOLUTION R-292517

Excusing Councilmember Christine Kehoe from attending the regularly scheduled Public Safety and Neighborhood Services meeting of November 10, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105: Katie Sullivan Day.

**COUNCILMEMBER WARDEN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-615) ADOPTED AS RESOLUTION R-292518

Commending and thanking Katie Sullivan for her outstanding commitment to community service both in Scripps Ranch and throughout the San Diego region;

Proclaiming December 15, 1999 to be "Katie Sullivan Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106: Bob Hitchcox Day.

**COUNCILMEMBER WARDEN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-670) ADOPTED AS RESOLUTION R-292519

Commending and thanking Bob Hitchcox for his outstanding commitment to community service both in Scripps Ranch and throughout the San Diego region;

Proclaiming December 15, 1999 to be "Bob Hitchcox Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107: Excusing Councilmember Judy McCarty from the Council Meetings of 9/27/99 and 9/28/99, and the NR&C and LU&H Committee Meetings of 9/29/99.

**COUNCILMEMBER McCARTY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-671) ADOPTED AS RESOLUTION R-292520

Excusing Councilmember Judy McCarty from attending the regularly scheduled Council meetings of September 27 and 28, 1999; and the Natural Resources and Culture Committee meeting, and the Land Use and Housing Committee meeting of September 29, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-108: Excusing Mayor Susan Golding from the Council Meetings of 11/8/99 and 11/9/99.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-688) ADOPTED AS RESOLUTION R-292521

Excusing Mayor Susan Golding from attending the regularly scheduled Council meetings of November 8 and 9, 1999, due to illness.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-109: Bid-to-Goal Employee Computer Purchase Program.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-607) ADOPTED AS RESOLUTION R-292522

Authorizing the City Manager to administer and expend funds for the Employee Computer Purchase Program as part of the Assurance Program funded by a portion of savings achieved through the Metropolitan Wastewater Department Operations and Maintenance Division Bid-to-Goal Labor/Management Partnership Agreement.

**CITY MANAGER SUPPORTING INFORMATION:**

In March 1998, City Council authorized acceptance of the Employee Bid and commencement of the Public Contract Operations (Bid-to-Goal) agreement for operations and maintenance of certain wastewater treatment facilities by the Bid-to-Goal Labor-Management Partnership. A key provision of this agreement identifies and tracks half of any savings below the Bid Amount in a Sewer Fund memo account called the Assurance Program. This workforce incentive empowers the Labor-Management Partnership to recommend valid Sewer Fund uses of available Assurance Program dollars, focused mainly on investments in otherwise unfunded new technology or training that contributes to continuous improvement in workforce effectiveness and professionalism. This action would complete the approval process of an innovative recommendation for Assurance Program use: the designation of a specific amount of money (not exceeding \$3,000 per employee per year) to buy qualifying computer hardware and/or software for participating Bid-to-Goal employees.

As a condition of participation, employees will agree to repay the City over a period not to exceed thirty months, thus assuring a self-sustaining program for employees projected to be eligible. One of the key productivity enhancement strategies employed by the Bid-to-Goal Partnership is increased automation and technology. This current and future emphasis is vital to optimally maintaining and operating the City's upgraded wastewater infrastructure. The Employee Computer Purchase Program is designed to facilitate continuous improvement in employee skill with computers and related technology at work by assisting eligible employees to purchase personal computers (software and hardware) compatible with the City's applications. A clear public purpose is established through the enhanced skills acquired by the employees in familiarity, use and the advancement of their skill levels with their personal computers.

**FISCAL IMPACT:**

FY 2000 cost estimate is \$500,000 funded by the MWW / O & M Division Assurance Program; by individual agreements, these funds will be repaid within 30 months.

Loveland/Schlesinger/JNH

Aud. Cert. 2000529.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-110: Amending the FY 2000 Capital Improvements Program Budget - Friars Road Mini Park.

(Linda Vista Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-632) ADOPTED AS RESOLUTION R-292523

Authorizing the addition of CIP-29-497.0, Friars Road Mini Park, to the Fiscal Year 2000 Capital Improvements Program;

Authorizing the City Auditor and Comptroller to transfer and expend an amount not to exceed \$200,000 from CIP-39-210.0, City Heights/University Avenue Streetscape Improvements, Capital Outlay, Fund No. 30244, to CIP-29-497.0, Friars Road Mini Park for expenses related to site improvements;

Authorizing the City Auditor and Comptroller to reprogram and expend an amount not to exceed \$200,000 from Community Development Block Grant Fund 18534, Dept. 4162, Org. 6240, to CIP-39-210.0, City Heights/University Avenue Streetscape Improvements.

**CITY MANAGER SUPPORTING INFORMATION:**

This project will provide a 0.28 acre mini park to serve residents of the west Mission Valley and Silver Terrace neighborhoods consistent with the Linda Vista Community Plan and Council Policy 700-34, Vest Pocket Park Development. Specific amenities will be determined with input from those neighborhood residents and could include a playground, basketball court, picnic facilities, passive turf area, walkways, fencing, and landscaping.

**FISCAL IMPACT:**

Funds are available in the amount of \$200,000 from the Community Development Block Grant Program and the Capital Outlay Program Budgets.

Culbreth-Graft/McLatchy/TM

Aud. Cert. 2000521.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G182-398.)

MOTION BY STEVENS TO ADOPT ITEMS -110, -117, -121, AND -122. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111: Mission Valley Branch Library Fund.

(Mission Valley Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-680) ADOPTED AS RESOLUTION R-292562

Authorizing the City Auditor and Comptroller to create the Mission Valley Branch Library Fund with proceeds to be used to fund improvements including,

but not limited to site preparation, design, construction, landscaping, plus the purchase of furnishings, fixtures, equipment, supplies, and library materials;

Authorizing the City Auditor and Comptroller to establish an interest-bearing trust fund account for the purpose of handling the accounting for the Mission Valley Branch Library Fund to facilitate the process of receiving donations for a new facility.

**CITY MANAGER SUPPORTING INFORMATION:**

It has been proposed that a new branch library for the Mission Valley community be constructed. Members of the community, including the Friends of the Mission Valley Library, have made a commitment to assist with a fund raising campaign to help build and equip the new branch. This request will establish a trust account in the name of the Mission Valley Branch Library Fund to facilitate the process of receiving private gifts for the new branch library. The proceeds of the fund and all earned interest will be used exclusively to fund improvements including, but not limited to site preparation, design, construction, landscaping, plus the purchase of furnishings, fixtures, equipment, supplies, and library materials.

**FISCAL IMPACT:**

None.

Culbreth-Graft/Tatar/ST

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-112: Agreement with Hirsch and Company Consulting Engineers for the Adobe Falls Water Pump Station - Replacement.

(Navajo Community Area. District-7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-580) CONTINUED TO JANUARY 31, 2000

Authorizing an agreement with Hirsch and Company Consulting Engineers, to provide design and construction support services for the Adobe Falls Water Pump Station - Replacement;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$314,800 from Water Fund 41500, CIP-73-327.0, Adobe Falls Water Pump Station - Replacement, for the purpose of executing this agreement and related in-housing engineering costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

The Adobe Falls Water Pump Station is located on the northwest corner of Waring Road and Interstate 8. The pump station was constructed in 1965 and originally consisted of five large horizontal pumps with 150 horsepower motors. Presently, four pumps are in operation with one out of service. The Adobe Falls Pump Station is a vital link between the Alvarado Water Treatment Plant and the Kearny Mesa service area. The successful operation of the pump station allows the City to utilize a portion of their local water storage which results in a cost savings to the City from purchasing imported water.

Currently, due to 35 year old design standards, the pump station is operating at a low efficiency and is regularly experiencing necessary repairs. The existing wood pump house building is deteriorating resulting in structural deficiencies and is in need of replacement. The electrical and telemetry equipment is antiquated and outdated. The new pump station will consist of five (5)

energy efficient pumps and motors, new state of the art electrical and telemetry equipment and construction of an architecturally designed building consistent with the aesthetic preferences of the surrounding community. Construction of this new pump station facility will provide a more reliable and efficient facility and will save in electrical and maintenance costs. The City's As-Needed Consultant process was used in order to interview for the most qualified consultants. Six firms were interviewed and the process resulted in Hirsch & Company Consulting Engineers as the most qualified firm.

**FISCAL IMPACT:**

Funding for the engineering consultant and related in-house engineering costs is available from the Water Fund 41500, CIP-73-327.0, Adobe Falls Water Pump Station - Replacement.

Loveland/Gardner/SWW

Aud. Cert. 2000497.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO CONTINUE THIS ITEM TO JANUARY 31, 2000, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-113: Ballpark and Redevelopment Project - Amendment.

(Centre City East Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-669) ADOPTED AS RESOLUTION R-292524

Authorizing the execution of a first amendment to the agreement with A.G.

Edwards, for financial advisory services concerning the Ballpark and Redevelopment Project;

Authorizing the additional expenditure of an amount not to exceed \$65,000 from Fund 102214, for a total agreement of \$315,000.

**CITY MANAGER SUPPORTING INFORMATION:**

The City desires to amend the contract with A.G. Edwards to increase total expenditures for financial advisory services on the Ballpark & Redevelopment Project by \$65,000. Due to the complex nature of the Ballpark financing, it has been determined that additional resources -will be required. The amended contract will add Kitahata & Company (MBE) and Municipal Capital Management, Inc. (WBE) as confidential advisors to the project.

**FISCAL IMPACT:**

The amended agreement with A.G. Edwards, Kitahata & Company, and Municipal Capital Management, Inc. will increase total expenditures to a not-to-exceed amount of \$280,000 for fees and \$35,000 for expenses for a total contract amount of \$315,000. Funds are currently available in the Entertainment/Sports Center - Ballpark Project Fund. Total fiscal impact for this action is \$65,000. Total costs for these services will be paid out of the Entertainment/Sports Center - Ballpark Project Fund.

Frazier/Vattimo/EK

Aud. Certs. 2000517, 2000518, 2000219.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: G196-225.)

MOTION BY WARDEN TO ADOPT ITEMS -113, -115, AND -116. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

\* ITEM-114: This item has been withdrawn from the docket for future docketing.

ITEM-115: Consultant Services Agreement with Long, Aldridge and Norman regarding the Proposed New Ballpark Phase II.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-635) ADOPTED AS RESOLUTION R-292525

Authorizing an amendment of the Retainer Agreement with Long, Aldridge and Norman, for consulting services concerning a proposed new ballpark by \$100,000;

Authorizing the expenditure of not to exceed \$100,000 from Fund 102214, Dept. 102214, Org. No. 200, Object Account 4141, Job Order 000202.

**CITY ATTORNEY SUPPORTING INFORMATION:**

This action will amend the existing Long, Aldridge, and Norman agreement for outside counsel to assist the City Attorney and City Manager regarding the proposed new ballpark by \$100,000 for a total agreement of \$625,000.

Girard/Herring

Aud. Cert. 2000514.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: G196-225.)

MOTION BY WARDEN TO ADOPT ITEMS -113, -115, AND -116. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-116: Consultant Services Agreement with Jacobs, Chase, Frick, Kleinkopf & Kelley  
Regarding the Proposed Ballpark - Phase II.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-634) ADOPTED AS RESOLUTION R-292526

Authorizing the amendment of the Retainer Agreement by and between The City of San Diego and Jacobs, Chase, Frick, Kleinkopf & Kelley, for consulting services concerning a proposed new ballpark by \$100,000;

Authorizing the expenditure of an amount not to exceed \$100,000 from Fund 102214, Dept. 102214, Org. No. 200, Object Account 4141, Job Order 00203, for providing funds for the project.

**CITY ATTORNEY SUPPORTING INFORMATION:**

This action will amend the existing Jacobs, Chase, Frick, Kleinkopf & Kelley agreement for outside counsel to assist the City Attorney and City Manager regarding the proposed new ballpark by \$100,000 for a total agreement of \$625,000.

**FISCAL IMPACT:**

Total cost: \$100,000.

Herring/Girard

Aud. Cert. 2000515.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: G196-225.)

MOTION BY WARDEN TO ADOPT ITEMS -113, -115, AND -116. Second by Wear.  
Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor  
Golding-yea.

ITEM-117: Agreement with Ocean Beach MainStreet Association for Administration of Maintenance Services for Newport Avenue Maintenance Assessment District.

(Ocean Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-583) ADOPTED AS RESOLUTION R-292527

Authorizing an agreement with Ocean Beach MainStreet Association, for administration of Contracts for Goods and Contracts for Services for the Newport Avenue Maintenance Assessment District for a period of one year in accordance with San Diego Municipal Code Section 65.0212;

Authorizing the expenditure of not to exceed \$3,000 from Fund 70241, Dept. 70241, Org. 2000 for the purpose of providing funds for the administration services with Ocean Beach MainStreet Association beginning December 11, 1999 and ending December 10, 2000.

**CITY MANAGER SUPPORTING INFORMATION:**

On February 1, 1999, Council approved Ordinance No.O-18617 amending Chapter VI, Article 5, Division 2 of the Municipal Code Sections 65.0212 and 65.0214. The amendments enable the City to evaluate the viability of a non-profit corporation administering the provisions of services to a Maintenance Assessment District. On August 3, 1999, the Ocean Beach MainStreet Association (Association) presented to the Park and Recreation Department written documentation of a balloting process conducted on June 1, 1999 from the property owners of Newport Avenue Maintenance Assessment District (District).

The results of the ballots indicate property owner support, weighted by the dollar amount of the assessments of \$19,552 or 59 percent of the property owners returned ballots, for the District to be administered by the Association. This action will authorize the City to sign an Agreement between the City and the Association for a period of one year beginning on December 11, 1999 and ending on December 10, 2000.

1. The Association will administer Contracts for Goods and Contracts for Service and prepare financial statements for the District as provided for in the Maintenance Assessment District Ordinance, Landscape and Lighting Act of 1972, and as set forth in the Engineer's Report for the Newport Avenue Maintenance Assessment District.
2. The Association will perform all duties as set forth in the Agreement under Section 2, referred to as specific requirements. The Association will be reimbursed for these services within forty-five (45) days from the receipt of properly prepared invoices.
3. The Association will be compensated for administration in the amount not to exceed \$3,000 (or \$250 per month) over the period of the Agreement.

**FISCAL IMPACT:**

Funds in the amount of \$3,000 are available in the Newport Avenue Maintenance Assessment District (Fund 70241) to reimburse the Association for maintenance services and compensation, for administration.

Culbreth-Graft/McLatchy/SY

Aud. Cert. 2000530.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G206-398.)

MOTION BY STEVENS TO ADOPT ITEMS -110, -117, -121, AND -122. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118: Two actions related to a Consultant Agreement with T.Y. Lin International for Replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek.

(Torrey Pines Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-675) ADOPTED AS RESOLUTION R-292528

Authorizing a consultant agreement with T.Y. Lin International, for professional engineering service for the design of the replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek;

Accepting the modification (PR-2A) to Program Supplement No. 11-5004(089) to Local Agency-State Agreement for Federal Aid Project No. 11-5004(007) in the amount of \$900,000 for replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek;

Authorizing the appropriation of an amount not to exceed \$900,000 from Program Supplement No. 11-5004(089) to CIP-53-050.0, replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek;

Authorizing the expenditure of an amount not to exceed \$900,000 from CIP-53-050.0, replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek (Fund 38734) of which \$494,358 is for the consultant agreement with T.Y. Lin International, provided that the City first furnishes a certificate demonstrating that the funds for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-2000-682) ADOPTED AS RESOLUTION R-292529

Certifying that the information contained in Mitigated Negative Declaration LDR-98-0335, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead

Agency and the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council;  
Adopting the Mitigation Monitoring and Reporting Program.

**CITY MANAGER SUPPORTING INFORMATION:**

The project proposes to replace the North Torrey Pines Road Bridge over Los Peñasquitos Creek with a new bridge approximately 340 feet in length and 70 feet in width. The project will also provide new widened roadway approaches to provide one southbound lane, bike lanes, median and a second northbound lane which will extend from the southern limit of the project where two northbound lanes exist to approximately 240 feet north of the bridge and will then transition into the existing roadway.

**FISCAL IMPACT:**

The total fee for providing professional services under this Agreement is \$494,358. Funds are available in CIP-53-050.0, Replacement of the North Torrey Pines Road Bridge over Los Peñasquitos Creek.

Loveland/Belock/PB

Aud. Cert. 2000520.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: F171-200.)

MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-119: As-Needed Consultant Agreement with Robinson, Stafford and Rude, Inc. for Value Engineering Services.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-555) ADOPTED AS RESOLUTION R-292530

Authorizing an agreement with Robinson, Stafford and Rude, Inc. for the purpose of providing As-Needed Value Engineering Consulting Services;

Authorizing the Auditor and Comptroller to expend an amount not to exceed \$750,000 from Water Fund 41500;

Authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

A Request for Proposals for Value Engineering Services was issued on April 2, 1999. An advertisement was placed in the San Diego Daily Transcript and five (5) firms responded. Interviews were held and the firm of Robinson, Stafford & Rude, Inc. (RSR) was selected. Under the terms of this agreement, RSR will provide Value Engineering Consulting Services on various projects within the Water Department's Capital Improvements Program. The Water Department will identify projects that will benefit from value engineering during the course of this agreement. The selection of candidate projects benefitting from value engineering will be based upon size, complexity, and cost. Value engineering is a systematic process by which a project is evaluated to ensure that the end product meets the original project's intent and that the scope of work is fully met at the lowest possible cost.

**CITY MANAGER SUPPORTING INFORMATION (Continued):**

Once a project has been identified for value engineering, specific task orders will be issued. Value engineering workshops typically last three to five working days. RSR will take the lead on assembling the value engineering team. Each value engineering team is made-up of outside engineering and other technical professionals with specific areas of expertise, as well as City personnel representing specific areas of expertise. The Water Department will review and accept the team and budget prior to beginning each value engineering workshop. RSR will prepare written reports with recommendations and findings at the conclusion of each value engineering workshop.

**FISCAL IMPACT:**

Funding in the amount of \$750,000 is available from Water Fund 41500.

Loveland/Gardner/LLW

Aud. Cert. 2000496.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120: Agreement with Santa Fe Irrigation District.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-667) ADOPTED AS RESOLUTION R-292531

Authorizing the City Manager to enter into a water service agreement with Santa Fe Irrigation District for water service to 14710 Via del Canon, File No. A10515499.

**CITY MANAGER SUPPORTING INFORMATION:**

The Residence is situated within the boundaries of the City of San Diego water service area. The City currently has no water facilities in the area which can provide pressurized water service to the Residence. The City water line is approximately one half mile from the main to the point of delivery. This required the owner to install and maintain a private water service in Via De La Valle. The district has facilities in place, approximately 625 feet to the north of the Residence. Those facilities would allow the District to serve the Residence as a water customer. The District is an irrigation district and has the legal authority to provide surplus water to customers outside of its boundaries. The District is able and willing to provide services to the Residence as a customer on a temporary basis. The City of San Diego Water Department shall release the Residence as a customer so the District may provide water service to the Residence, until such time as City is able to serve the Residence with pressurized water service. As such time as City is able to provide pressurized water service to the Residence, the Residence shall become a City customer. The Residence will then pay the District to cap the existing service at the District's water main.

**FISCAL IMPACT:**

None with this action.

Loveland/Gardner/HBG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-121: Point Loma - Concrete Restoration of Sedimentation Basins.

(Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-530) ADOPTED AS RESOLUTION R-292532

Authorizing the City Manager to enter into negotiations and execute Change Order No. 13 in an amount not to exceed \$600,000 with Nielsen Dillingham Builders in connection with the Point Loma - Concrete Restoration of Sedimentation Basins contract;

Authorizing the expenditure of not to exceed \$582,287 from Fund No. 41508, CIP-46-110.0, Point Loma - Scum Removal System to provide funds as follows: \$480,000 for additional project contingency and \$88,287 for additional project costs.

**CITY MANAGER SUPPORTING INFORMATION:**

As part of upgrades to the Point Loma Wastewater Treatment Plant, concrete restoration work has been underway on the twelve sedimentation basins. Resolution R-288066 authorized the City Manager to execute a construction contract with the lowest responsive bidder and the contract was awarded to Nielsen Dillingham Builders for \$11,989,000. The contract includes other process improvements including additional odor control at the sedimentation basins. Resolution R-291795 authorized a Construction Change Order for additional concrete restoration at basins 5 and 6. This request is for authorization to negotiate a Construction Change Order with Nielsen

Dillingham Builders for additional concrete restoration at basins 7 and 8 for a not to exceed amount of \$600,000. During design for the concrete restoration, because of the need to maintain continuous operation of the treatment plant and the difficulty of access, the condition of the sedimentation basins could not be given a close detailed inspection. A detailed inspection would have required removal of the existing lining and destructive testing of concrete core samples. Now as part of construction, two basins are taken out of service at a time to perform the work.

After removal of the existing lining, sandblasting and preparation of the concrete surface of basins 7 and 8, greater deterioration than expected has been found and additional concrete restoration is needed. The additional work is needed to extend the life of these structures and ensure the safety of plant personnel. The other remaining basins (9 through 12) are newer and they are not expected to require any substantial additional work.

**FISCAL IMPACT:**

The total cost of this action is \$568,287 from CIP-46-110.0, Point Loma Scum Removal System, of which \$88,287 is for project related costs and \$480,000 is to fund this change order. The additional \$120,000 needed to fund Change Order No. 13, for an amount not to exceed \$600,000, has been previously authorized.

Loveland/Schlesinger/JAW

Aud. Cert. 200451.

FILE LOCATION: CONT-Nielsen Dillingham Builders

COUNCIL ACTION: (Tape location: G226-398.)

MOTION BY STEVENS TO ADOPT ITEMS -110, -117, -121, AND -122. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-122: Two actions related to Point Loma - Digester Facility Upgrade and Expansion.

(Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-640 Corrected) ADOPTED AS RESOLUTION R-292533

Authorizing the City Manager to negotiate and execute Change Order No. 17 with Nielsen Dillingham Builders, Inc. for retrofitting of digesters in an amount not to exceed \$800,000 in connection with the Central Boiler Facility and Gallery Upgrade contract;

Authorizing the City Auditor and Comptroller to transfer \$800,000 from Fund No. 41508, CIP-45-910.1, Trucked Liquid Waste, to Fund No. 41509, CIP-46-170.0, Point Loma - Digester Facility Upgrade and Expansion;

Authorizing the expenditure of an amount not to exceed \$800,000 from Fund No. 41509, CIP-46-170.0, Point Loma - Digester Facility Upgrade and Expansion.

Subitem-B: (R-2000-641) ADOPTED AS RESOLUTION R-292534

Stating for the record that the information contained in the final Environmental Impact Report, LDR File No. LDR-95-0159, including any comments received during the public review process, has been reviewed and considered by the Council in connection with the Point Loma - Digester Facility and Upgrade Expansion, administered as Change Order No. 17 to the Central Boiler Facility and Gallery Upgrade Project.

**CITY MANAGER SUPPORTING INFORMATION:**

On May 3, 1993, City Council Resolution R-281902 authorized the design for over \$50,000,000 of improvements to the digester system at the Point Loma Wastewater Treatment Plant. These improvements are needed to replace rundown equipment and improve operations. To distribute the construction work, five bid packages were originally developed for construction over a five year period. The shifting of funds and operational priorities required rescheduling the construction of these packages over a ten year period. This rescheduling has required scope of work changes to existing construction contracts to ensure more effective operation of the digester system. This requested action is for authorization to negotiate a change order for not-to-exceed \$800,000 with Nielsen Dillingham Builders (NDB) for the Central Boiler Facility and Gallery Upgrade Project. City Council Resolution R-288495, adopted March 31, 1997, authorized award of the construction project to the low bidder. NDB was the successful bidder and awarded the contract for \$7,231,000. The work being added to this contract includes the retrofitting of Digesters S1 and S2 and their associated control building. This work is needed now to complete installation of the master plan gravity overflow system on six of eight digesters and ensure more efficient operations. NDB is in a position to most cost effectively do this work because they are already contracted to do similar work on the two most northerly digesters and are already mobilized on the construction site.

**FISCAL IMPACT:**

The total cost of this action is \$800,000 for contingency in Fund 41509, CIP-46-170.0, Pt. Loma Digester Facility Upgrade and Expansion to fund Change Order No. 17.  
Loveland/Schlesinger/JAW

Aud. Cert. 2000501.

FILE LOCATION: Subitems A & B: CONT-Nielsen Dillingham Builders, Inc.

COUNCIL ACTION: (Tape location: G226-398.)

MOTION BY STEVENS TO ADOPT ITEMS -110, -117, -121, AND -122. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123: Settlement of the Breach of Contract Claim of C&S Doctor, Inc.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-624) ADOPTED AS RESOLUTION R-292535

A Resolution approved by the City Council in Closed Session on Tuesday, November 9, 1999, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$265,000 in the settlement of each and every claim against the City, its agents and employees, in Claim LP98-0543-2457, C&S Doctor, Inc., for a breach of contract resulting from a contract entered into on November 16, 1995;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$265,000 made payable to the Client Trust Account of Perkins & Miltner, LLP, in full settlement of all claims in this matter;

Authorizing the City Auditor and Comptroller to accept the amount of \$30,000 from the City's consultant, Robbins, Jorgensen, Christopher in this matter and to transfer the same to Consultant Fund No. 18521;

Declaring that the settlement is payable as follows: \$44,904.01 from Fund No. 32453, Department 30244, Organization 106, Job Order 330820; \$155,095.99 from CDBG Fund No. 18512, Department No. 18512, Job Order 330820; \$30,000 from Consultant Fund No. 18512; and \$35,000 from Risk Management/Liability Fund No. 81140.

**CITY MANAGER SUPPORTING INFORMATION:**

This constitutes the complete and final settlement of the breach of contract claim of C&S Doctor, Inc. against the City of San Diego, its agents and employees, as a result of an incident resulting from a contract entered into on November 16, 1995.

**FISCAL IMPACT:**

Funds for this settlement of \$265,000 are available as follows: \$44,904.01 from Fund No. 32453, Department 30244, Organization 106, Job Order 330820; \$155,095.99 from CDBG Fund No. 18512, Job Order 330820; \$30,000 from Consultant Fund No. 18512; and \$35,000 from Risk Management/Liability Fund No. 81140.

Herring/Oliva/EF

Aud. Cert. 2000530.

**NOTE:** The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124: Skyline Drive Between (Sychar Road to Gribble Street) Underground Utility District.

(Skyline-Paradise Hills. District-4.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-587) ADOPTED AS RESOLUTION R-292536

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Skyline Drive (Sychar Road to Gribble Street) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Skyline Drive Between (Sychar Road to Gribble Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding.

Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300 - \$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost of \$400,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Loveland/Belock/PKB

FILE LOCATION: STRT-K-267 (38)

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-125: Ruffin Road Between (Mission Village Drive to Success Avenue) Underground Utility District.

(Kearny Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-589) ADOPTED AS RESOLUTION R-292537

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Ruffin Road (Mission Village Drive to Success Avenue) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities," and will underground the overhead utility facilities in the Ruffin Road Between (Mission Village Drive to Success Avenue) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy

800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding.

Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300 - \$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost of \$231,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Loveland/Belock/PKB

FILE LOCATION: STRT-K-268 (38)

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage.

(District 8.)

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2000-702) ADOPTED AS RESOLUTION R-292538

Declaring a continued state of emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: Appointing the Deputy Mayor for the Period of December 6, 1999 through December 4, 2000.

(See memorandum from Mayor Golding dated 11/26/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-696) ADOPTED AS RESOLUTION R-292539

Selecting Councilmember Harry Mathis as the Deputy Mayor for the period of December 6, 1999 through December 4, 2000.

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99, Rules voted 4-0 to approve on consent. (Councilmembers Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151: Approving Chairpersons for the Four Standing Council Committees for terms commencing December 6, 1999 through December 4, 2000.

(See memorandum from Mayor Golding dated 11/26/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-697 ) ADOPTED AS RESOLUTION R-292540

Approving chairpersons for the four Standing Council Committees for terms commencing December 6, 1999 through December 4, 2000:

<b><u>Committee</u></b>	<b><u>Chairperson</u></b>
Committee on Rules, Finance and Intergovernmental Relations	Mayor Golding
Committee on Public Safety and Neighborhood Services	Councilmember Warden
Committee on Natural Resources and Culture	Councilmember Vargas
Committee on Land Use and Housing	Councilmember Wear

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99, Rules voted 4-0 to approve on consent. (Councilmembers Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-152: Appointment Order of the Rules Committee.

(See memorandum from Mayor Golding dated 11/26/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-698) ADOPTED AS RESOLUTION R-292541

Accepting the Appointment Order of the Rules Committee relating to the appointment of members to Standing Committees of the City Council:

**RULES**

Mayor (Chair)  
Mathis (Vice Chair)  
Vargas  
Warden  
Wear

**NR&C**

Vargas (Chair)  
Stallings (Vice Chair)  
Kehoe  
Mathis  
McCarty

**LU&H**

Wear (Chair)  
McCarty (Vice Chair)  
Kehoe  
Stevens  
Warden

**PS&NS**

Warden (Chair)  
Mathis (Vice Chair)  
Stallings  
Stevens  
Wear

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99, Rules voted 4-0 to approve on consent. (Councilmembers Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-153: Appointments to the Select Committee on Government Efficiency and Fiscal Reform.

(See memorandum from Mayor Golding dated 11/26/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-700) ADOPTED AS RESOLUTION R-292542

Establishing a Temporary Rule of the Council to establish a subcommittee of the Rules Committee to be known as the Select Committee on Government Efficiency and Fiscal Reform consisting of the following Rules Committee members and the advisors as they shall appoint:

Harry Mathis - Chair  
Byron Wear  
Juan Vargas

Declaring that the Temporary Rule supersedes the Permanent Rules of the Council established by Section 22.0101 of the San Diego Municipal Code and shall be effective until December 4, 2000 unless made permanent by enactment of an Ordinance.

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99, Rules voted 4-0 to approve on consent. (Councilmembers Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-154: Year 2000 Appointments to Outside Organizations.

(See memorandum from Mayor Golding dated 11/26/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-694) ADOPTED AS RESOLUTION R-292543

Appointing the following persons to serve as Council representatives and Council liaison and their alternates to organizations listed below for the period commencing December 6, 1999 and ending December 4, 2000:

1. ADAPT BOARD OF DIRECTORS:  
Christine Kehoe - rep
2. ARJIS BOARD OF DIRECTORS:  
Judy McCarty - rep  
Byron Wear - alt
3. CITIES ADVISORY COMMITTEE TO LAFCO:  
Judy McCarty - rep
4. CRIMINAL JUSTICE COUNCIL:  
Juan Vargas - rep  
Harry Mathis - alt

5. ECONOMIC DEVELOPMENT CORPORATION:  
Mayor Golding - rep  
Juan Vargas & Barbara Warden - alternates
6. LEAGUE OF CITIES, SAN DIEGO COUNTY DIVISION:  
Byron Wear - rep
7. LOCAL AGENCY FORMATION COMMISSION:  
Harry Mathis - rep  
Juan Vargas - alt
8. LOS PEÑASQUITOS CANYON PRESERVE TASK FORCE:  
Harry Mathis - rep  
Barbara Warden - rep
9. METROPOLITAN TRANSIT DEVELOPMENT BOARD:  
Valerie Stallings - rep, Ex. Bd            Mayor Golding/Byron Wear - rep  
Barbara Warden- alt  
Harry Mathis - rep                            Juan Vargas - rep  
Christine Kehoe - alt                        George Stevens - alt
10. MISSION TRAILS REGIONAL PARK TASK FORCE:  
Judy McCarty - rep  
Barbara Warden - rep
11. OTAY RIVER VALLEY TRANSPORTATION STUDY:  
Juan Vargas - rep  
Byron Wear - alt
12. PARK AND RECREATION BOARD:  
Judy McCarty - rep
13. PORT COMMISSION:  
Byron Wear - rep  
Juan Vargas - alt

14. REINVESTMENT TASK FORCE:  
George Stevens - rep
15. SANDAG AVIATION POLICY ADVISORY COMMITTEE:  
No longer meets; absorbed into TransNet Committee
16. SANDAG BAY SHORE BIKEWAY POLICY COMMITTEE:  
Byron Wear - rep
17. SANDAG BOARD:  
Mayor Golding/Byron Wear - rep  
Valerie Stallings - alternate
18. SANDAG SHORELINE EROSION COMMITTEE:  
Harry Mathis - rep
19. SAN DIEGO WORKFORCE:  
George Stevens - rep  
Juan Vargas - alt  
Harry Mathis - rep  
Chris Kehoe - alt
20. SAN DIEGO DATA PROCESSING CORPORATION:  
Byron Wear - rep
21. SAN DIEGO TROLLEY ADVISORY BOARD:  
Harry Mathis - rep  
Judy McCarty - rep  
Byron Wear - rep  
Barbara Warden - rep
22. SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK  
JOINT POWERS AUTHORITY:  
Barbara Warden - rep  
Christine Kehoe - alt  
Harry Mathis - rep  
Valerie Stallings - alt

23. SENIOR CITIZEN ADVISORY BOARD:  
George Stevens - rep  
Christine Kehoe - alt
24. SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE):  
Harry Mathis - rep  
Juan Vargas - rep
25. SMALL BUSINESS ADVISORY BOARD:  
Barbara Warden - rep
26. SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION:  
George Stevens - rep
27. TRANSNET COMMITTEE:  
Barbara Warden - rep

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99 Rules voted 4-0 to approve on consent. (Council members Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999.  
Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-155: In the Matter of Adopting the Year 2000 Legislative Calendar for the City of San Diego.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-695) ADOPTED AS RESOLUTION R-292544

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2000 through December 31, 2000.

**RULES COMMITTEE'S RECOMMENDATION:**

On 11/29/99 Rules voted 4-0 to approve on consent. (Councilmembers Wear, Warden, Mathis and Vargas voted yea. Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Program to Assist Special Needs Homeless Population.

(See City Manager Report CMR-99-241. Centre City, Golden Hill, Hillcrest, North Park, Mid-City, Barrio Logan, and Midway Community Areas. Districts-2,3 and 8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-690 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-292545

Authorizing the City Manager to develop and find outside funding for a centralized system to coordinate intake, evaluation and referrals to assist the severely mentally ill, chronic inebriates, drug addicted, and dually diagnosed homeless, and provide central information on available programs, housing, demographic data, clinical outcomes by July 2000, or as soon as practicable, with initial system implementation by December 2000;

Authorizing the City Manager to secure funding for and assist in the location of two new or rehabilitated twenty-five bed transitional housing facilities for the severely mentally ill homeless in the downtown or surrounding areas by December 2000, and two additional twenty-five bed facilities by December 2001;

Authorizing the City Manager to secure funding for and assist in the location of twenty-five new or rehabilitated permanent supportive housing units for the severely mentally ill homeless in the downtown or surrounding areas by December 2000 and seventy-five additional units by December 2001;

Authorizing the City Manager to secure funding for and assist in the location of expanded drug and alcohol detoxification and long-term treatment programs and facilities for chronic inebriates and dually-diagnosed homeless by December 2000;

Authorizing the City Manager to evaluate the success of the first six months of the Police Department Western Division chronic inebriate arrest/treatment pilot program, and if feasible, begin implementation in the downtown area by July 2000, or when determined practicable.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C343-E624.)

Motion by Vargas to approve the City Manager's recommendation with the Mayor's emphasis to do the following: 1) accept the City Manager's report with direction to have the City Manager, Housing Commission, and the Intergovernmental Department work collaboratively on an implementation plan with a timeline and a recommendation for funding sources; 2) direct the Intergovernmental Department to add this plan and its financial needs to the legislative package that the Council has approved; and 3) not name Golden Hill, Hillcrest, North Park, Mid-City, Barrio Logan, and Midway Community or any other surrounding areas. Second by McCarty. No vote taken.

SUBSTITUTE MOTION BY KEHOE TO ADOPT THE RESOLUTION AS AMENDED TO DO THE FOLLOWING: 1) ACCEPT THE CITY MANAGER'S REPORT WITH DIRECTION TO HAVE THE CITY MANAGER, HOUSING COMMISSION, AND THE INTERGOVERNMENTAL DEPARTMENT WORK COLLABORATIVELY ON AN IMPLEMENTATION PLAN WITH A TIMELINE AND A RECOMMENDATION FOR FUNDING SOURCES; 2) DIRECT THE INTERGOVERNMENTAL DEPARTMENT TO ADD THIS PLAN AND ITS FINANCIAL NEEDS TO THE LEGISLATIVE PACKAGE THAT THE COUNCIL HAS APPROVED; AND 3) INCLUDE EVERY COUNCIL DISTRICT AND DELETE ALL NEIGHBORHOOD NAMES IN THE DESCRIPTION OF THE ACTION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-yea.

ITEM-201: Amending the San Diego Municipal Code to Conform to Federal Pretreatment Language.

**CITY MANAGER'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2000-69) INTRODUCED, TO BE ADOPTED ON JANUARY 10, 2000

Introduction of an Ordinance amending Chapter VI, Article 4, Division 3, of the San Diego Municipal Code by amending Section 64.0301 and amending Chapter VI, Article 4, Division 5, by amending Section 64.0512, related to Discharges into Wastewater System.

**CITY MANAGER SUPPORTING INFORMATION:**

As operator of the Metropolitan Wastewater Sewerage System, the City of San Diego is required by federal law to control industrial discharges to the sewers in order to assure the proper operation of the system and protection of the environment. Past amendments to the San Diego Municipal Code (Section 64) have provided the authority by which industrial discharges are regulated. Over time, federal requirements change and, in order to remain in compliance with federal regulation, adjustments are necessary to the San Diego Municipal Code. The Regional Water Quality Control Board has requested that the current language at Section 64.03 01 (f), which establishes civil and criminal penalties for violations Industrial User Discharge Permits and Sewer Discharge General and Specific Prohibitions, be modified to state that maximum penalty applies "per day per violation." The intent of this proposed change is to clarify that a penalty may be applied for each day of each violation. Changes to Section 64.0512 are needed for the following reasons. Section 64.0512(n) currently cites California Administrative Code, Title 17, which previously listed limits on the amounts of radioactive wastes that could be legally discharged into the sewer.

Title 17 has been changed to eliminate the list and to include federal standards by reference. The San Diego Municipal Code does not include language that conforms to the current federal requirements for General Discharge Prohibition against discharges that cause pass-through or interference to sewer lines or to proper wastewater treatment plant operations. The San Diego Municipal Code does not include Specific Prohibitions against discharges having a flashpoint of less than 140 degrees Fahrenheit and discharges of trucked or hauled pollutants, except at discharge points designated by Publicly Owned Treatment Works. The proposed amendments to the San Diego Municipal Code (Sections 64.0301 and 64.0512) attached to this Request for Council Action reflect the changes to federal regulations and eliminate the current deficiencies.

**FISCAL IMPACT:**

No cost would be incurred by the City of San Diego from this action.

Loveland/Schlesinger/AL

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: Two actions related to Donation from the Mary Elizabeth North and Mary Gaylord North Family Trust for the Construction of Founders Plaza.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-612) ADOPTED AS RESOLUTION R-292546

Adoption of a Resolution accepting the donation from the Mary Elizabeth North and Mary Gaylord North Family Trust for the Construction of Founders Plaza.

Subitem-B: (R-2000-692) ADOPTED AS RESOLUTION R-292547

Adoption of a resolution certifying Environmental Negative Declaration LDR-99-035 for the above project.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer Pump Station No. 4 Replacement.

(Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-37) ADOPTED AS RESOLUTION R-292548

Approving the plans and specifications for the Construction of Sewer Pump Station No. 4 Replacement;

Inviting bids for the Construction of Sewer Pump Station No. 4 Replacement on Work Order No. 171321;

Establishing contract funding phases and authorizing a contract with the lowest responsible bidder;

Authorizing the Amendment No. 1 to the agreement with Fraser Engineering, Inc. to provide additional engineering services for the Construction of Sewer Pump Station No. 4 in the amount not to exceed \$119,746;

Authorizing the additional expenditure of an amount not to exceed \$2,861,511 from Sewer Fund 41506, CIP-46-106.0, Annual Allocation-Sewer Pump Station Restoration, for the purpose of providing funds for said project and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the expenditure of up to \$140,000 for the acquisition of right of way and related costs. (BID-K99266C)

Subitem-B: (R-2000-38) ADOPTED AS RESOLUTION R-292549

Certifying that the information contained in Mitigated Negative Declaration DEP-94-0072, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with approval of Construction of Sewer Pump Station No. 4 Replacement;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program.

**CITY MANAGER SUPPORTING INFORMATION:**

Sewer Pump Station No. 4 is located at 2799 Carleton Street, in the Roseville neighborhood of the Peninsula community planning area. The sewer pump station was built in 1929 and consisted of a settling tank, over flow tank, and a pump station. Subsequently additions and reconstruction were done in 1948 to convert the over flow tank into a wet well. Only the pump station and the wet well are in operation now. The settling tank has been abandoned and filled with sand. The existing structure is not suitable for rehabilitation because of deterioration and inadequate space. This project incorporates the construction of a new pump station situated south of the existing structure and the demolition of the old sewer pump station. The proposed station will house two (2) 10-horsepower pumping units plus one (1) spare pump and will include a natural gas generator to be used as a secondary power source.

**FISCAL IMPACT:**

The total estimated cost of this project is \$3,101,149 of which \$239,638 was previously authorized by Resolution R-276188 on July 23, 1990, and by Resolution R-281737 on April 12, 1993, for design and administration costs. The total amount of this request is \$2,861,511 which is available in Sewer Fund No. 41506, CIP-46-106.0, Annual Allocation for Sewer Pump Station Restoration. This project may be phase funded.

Loveland/Belock/AO

Aud. Cert. 2000019.

FILE LOCATION: Subitems A & B: CONT - HPS Plumbing Services; W.O.  
171321

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: Construction of State Route 56 from West of Carmel Mountain Road to East of Black Mountain Road.

(Carmel Valley and Rancho Peñasquitos Community Areas. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-684) ADOPTED AS RESOLUTION R-292550

Accepting and authorizing the increased appropriation to the FY 2000 Capital Improvements Program up to an additional \$753,186 in State Local Transportation Partnership Program funds, Fund 388197, for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP-52-463, contingent upon a fully executed Program Supplement;

Accepting and authorizing the increased appropriation of \$1,200,000 to the FY 2000 Capital Improvements Program from the San Diego Association of Governments, Fund 30301, for the design and construction of the bike bypass for State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP-52-463;

Accepting and authorizing the increased appropriation of \$300,000 to the FY 2000 Capital Improvements Program from "Santaluz, LLC," Fund 63022, for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP-52-463;

Accepting and authorizing the increased appropriation up to \$2,917,000 to the FY 2000 Capital Improvements Program from State Transportation Improvement Program funds, Fund 38964, to be utilized for construction engineering for construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP-52-463, contingent upon modification of the Cooperative Agreement;

Authorizing a sixth amendment to the agreement with Boyle Engineering Corporation for professional engineering services for State Route 56, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the project and agreement;

Authorizing the expenditure of an amount not to exceed \$1,012,985 from CIP-52-463, State Route 56, of which \$794,908 is from Fund 38961 and \$218,077 from Fund 30301, for providing funds for the sixth amendment for consultant agreement with Boyle Engineering Corporation, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of an amount not to exceed \$4,952,109 from CIP-52-463, State Route 56, of which \$753,186 is from Fund 388197, \$981,923 from Fund 30301, \$300,000 from Fund 63022, and \$2,917,000 from Fund 38964, for providing funds for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

On July 19, 1999 the City Council approved the expenditure of \$28,816,788 for State Route 56. The programmed amount for the project in the State/Local Transportation Program has since been increased, thus, the project is eligible to receive up to an additional \$753,186 in funding based on the 16.59 percent match ratio. The San Diego Association of Governments has also approved \$1,200,000 for the design and construction of a bike bypass at State Route 56 and Black Mountain Road. "Santaluz, LLC" is contributing \$300,000 toward the construction of improvements at the Black Mountain Road/SR-56 Interchange in lieu of actually constructing the improvements as required as a condition of their Tentative Map (95-0173). Construction engineering for the project will be provided by both the City of San Diego and CalTrans staff and will be funded by \$2,917,000 of State Transportation Improvement Program funds.

On May 28, 1996, per RR-287411, the City Council approved the original Consultant Agreement with Boyle Engineering Corporation for professional engineering and design services for State Route 56 (CIP-52-643.0). As a result of the State Local Transportation Partnership Program funding being extended one year, the scope of the project was revised which necessitates an amendment to the agreement. The scope of the project now includes design tasks requested by CalTrans. Additionally, the agreement needs to be amended to include tasks associated with additional environmental permitting and the preparation of plans and specifications for environmental mitigation of vernal pools and wetlands.

**FISCAL IMPACT:**

Resolution R-291913 approved the acceptance, appropriation and expenditure of up to \$3,692,934 in State Local Transportation Partnership Program Funds and authorized the expenditure of \$28,816,788 for construction for State Route 56. The new authorized expenditure total will now be increased to \$33,768,897. The fee for providing professional engineering services under this amendment is \$1,012,985.

Loveland/Belock/PB

Aud. Cert. 2000525.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: Authorizing Additional Funds - Fire Station No. 44.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-665 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-292551

Approving the increase of the Fiscal Year 2000, Capital Improvements Program by an amount not to exceed \$120,000 to CIP-33-083.0, Fire Station No. 44;

Authorizing the expenditure of an amount not to exceed \$120,000 from CIP-33-083.0, Fire Station No. 44, FBA Fund No. 79006, for providing additional funds for the construction and related costs of Fire Station No. 44;

Authorizing the City Auditor and Comptroller, upon advice from the administering department to transfer excess funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

The project will provide for construction of a 9,500 square foot Fire Station located at Black Mountain Road and Maya Linda Road. The facility will be used to house eleven (11) firefighters, and three (3) fire apparatus. Fire Station No. 44 will serve the Carroll Canyon and Miramar industrial areas. A construction contract has been awarded to Golden Springs Construction on June 23, 1999. Additional funding is now necessary to include additional improvements requested by the Fire Department and the community.

**FISCAL IMPACT:**

The estimated project cost is \$2,987,000 of which \$2,867,000 has previously been authorized for professional services, property acquisition, and the construction contract. The balance of \$120,000 is available in FBA Fund No. 79006 for this purpose.

Loveland/Belock/AO

Aud. Cert. 2000516.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEM 205 AS AMENDED WITH DIRECTION TO USE THE CONTINGENCY FUND FIRST FOR THIS PROJECT BEFORE USING THE FBA FUND; AND IF THERE IS ANY MONEY LEFT IN THE CONTINGENCY FUND, RETURN THE MONEY TO THE FBA FUND; ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -206, -207, -209, AND-212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: Sub-regional Economic Development Transient Occupancy Tax - TOT Allocation Process.

(See City Manager Reports CMR-99-240 and CMR-99-152.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-686) ADOPTED AS RESOLUTION R-292552

Approving the FY2001 Transient Occupancy Tax (TOT) Guidelines and

Application and Panel Handbook for the Economic Development and Tourism Support Program;

Approving the review panel recommended by the Mayor's Special Committee and the Small Business Advisory Board as the recommending body for the allocations, as contained in City Manager Report CMR-99-152.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207: Holiday Bowl Agreement.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-631) ADOPTED AS RESOLUTION R-292553

Authorizing the City Manager to execute a four-year agreement for partial use and occupancy of Qualcomm Stadium with the San Diego Bowl Game Association, for the annual Holiday Bowl Game.

**CITY MANAGER SUPPORTING INFORMATION:**

The Holiday Bowl has been conducted at Qualcomm Stadium since 1978. The game has been highly successful and financially beneficial to the City and Stadium. For example, the Stadium received \$289,000 from the 1998 game. The current agreement has expired and the City and San Diego Bowl Game Association ("Association") have negotiated a new agreement which will expire on January 15, 2003. The terms and conditions of the proposed agreement are similar to

the previous agreement. The Association has agreed to pay the City \$5,000 or ½ percent of game generated revenues, whichever is greater; pay for all Police and Fire Department costs, including traffic controllers; pay for Stadium field lights and sound system; and provide game staffing and expenses. The Stadium will receive all parking and food concession revenues.

The Qualcomm Stadium Advisory Board at their November 4, 1999 meeting, unanimously recommended approval of the agreement.

**FISCAL IMPACT:**

The City will receive approximately \$300,000 per game for a total of \$1,200,000 for the four years of the contract.

Herring/Wilson/SMS

FILE LOCATION: LEAS - San Diego Bowl Game Association (61)

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: Agreement with Sverdrup Civil, Inc. for Design and Construction Management Services for Redevelopment Purposes pursuant to the Centre City Redevelopment Plan including the Ballpark Infrastructure Project and Centre City East Redevelopment Area Water/Sewer Enhancements.

(Continued from the meetings of November 1, 1999, Item 201, November 8, 1999, Item S400, and November 22, 1999, Item 203; last continued at the City Manager's request for further review.)

(See City Manager Report CMR-99-223. Centre City Redevelopment Project. Districts 2 and 8)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-522 Cor. Copy) CONTINUED TO DECEMBER 14, 1999

Authorizing the City Manager to execute a phase funded Design and Construction Management Agreement with Sverdrup Civil, Inc., for the infrastructure improvement project, in an amount not to exceed \$41,513,000 with Phase 1 not to exceed \$6,390,000 (inclusive of and superseding the \$187,425, and \$3,000,000 Interim Agreement previously approved) effective upon contract execution and Phase 2 to commence when permanent financing is available in an amount not to exceed \$35,123,000;

Authorizing the expenditure of an amount not to exceed \$3,202,525 for Phase 1 - \$2,012,525 from Ballpark Interim Financing Fund 10290, \$431,000 from Fund 41506, and \$759,000 from Fund 41500, CIP-73-083.0, Annual Allocation Water Main Replacements, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that funds are, or will be, available in the City Treasury, solely and exclusively for the purpose of providing funds for the Project.

Aud. Cert. 2000490.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO DECEMBER 14, 1999 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: South Bay Water Reclamation Sewer and Pump Station - Change Order No. 1.

(Tijuana River Valley Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-545) ADOPTED AS RESOLUTION R-292554

Authorizing the City Manager to negotiate and execute Change Order No. 1 with Archer Western Contractors, Ltd. for the installation of a larger diameter pipeline at the South Bay Water Reclamation Sewer and Pump Station, with the amount not to exceed \$441,143 and providing the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,000,000 within Fund No. 41509, from CIP-40-910.1, South Bay Ocean Outfall Project, to CIP-40-911.3, South Bay Water Reclamation Sewer and Pump Station, Package B, to provide funds for additional project contingency;

Authorizing the expenditure of an amount not to exceed \$1,000,000 from Fund No. 41509, CIP-40-911.3, South Bay Water Reclamation Sewer and Pump Station, to provide funds for additional project contingency;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

**CITY MANAGER SUPPORTING INFORMATION:**

On December 2, 1990, the City Council adopted Resolution R-289516 approving the advertisement and award of the South Bay Water Reclamation Sewer and Pump Station, Package B. The project includes the construction of a 30-inch sewer force main and an 8-inch sludge pipeline. A contract was awarded to Archer Western on June 18, 1999. On June 21, 1999 the City Council approved the expansion of the South Bay Water Reclamation Plant (SBWRP) from 7 million gallons per day (mgd ) to 15 mgd.

As a result of the expansion, the scope of work for the South Bay Water Reclamation Sewer and Pump Station projects has been increased to accommodate the expansion of the SBWRP. The City requested Archer Western to install a 10-inch sludge pipeline instead of an 8-inch. The larger capacity pipeline will allow for the additional flow generated by the expansion of the SBWRP. The City has negotiated Change Order No. 1 with Archer Western in the amount of \$441,141 to install a 10-inch pipeline instead of an 8-inch pipeline. This request is to provide funding of \$441,141 to process Change Order No. 1. Additional project contingency of \$1,000,000 is requested for anticipated Change Orders. These Change Orders include installation of several concrete reinforced slabs to separate and protect existing waterline crossings from the new sludge and wastewater force mains, lowering a portion of the sludge pipeline to avoid utilities, and, as a result of the SBWRP expansion, installing a portion of the 36-inch gravity pipeline from the Otay River Pump Station and Pipeline Project.

**FISCAL IMPACT:**

The total cost of this action is \$1,441,143. Funds are available in Sewer Revenue Fund No. 41509, CIP-40-911.3, South Bay Water Reclamation Sewer and Pump Station.

Loveland/Schlesinger/WJS

Aud. Cert. 2000507.

FILE LOCATION: CONT - Archer Western Contractors, Ltd.

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-210: South Bay Water Reclamation Plant, Operations and Maintenance Buildings Expansion.

(See City Manager Report CMR-99-236. Tijuana River Valley Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-663) ADOPTED AS RESOLUTION R-292555

Authorizing the City Manager to negotiate a Change Order with Nielsen Dillingham Builders for expansion of the South Bay Water Plant - Operations and Maintenance Buildings, in an amount not to exceed \$2,750,000;

Authorizing the expenditure of an amount not to exceed \$2,750,000 from Fund No. 41509, CIP-42-910.6, South Bay Water Reclamation Plant, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

FILE LOCATION: CONT - Nielsen Dillingham Builders

COUNCIL ACTION: (Tape location: F114-170.)

MOTION BY WEAR TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-211: Agreement with Old Town Trolley Tours for Operation of the Tram System in Balboa Park.

(Balboa Park Community Area. District-3.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 11/22/99. (Council voted 9-0):

(O-2000-72) ADOPTED AS ORDINANCE O-18732 (New Series)

Authorizing the City Manager to enter into a five-year agreement, including an option to extend the agreement for an additional five years, with Old Town Trolley Tours for operation of a Tram System in Balboa Park;

Authorizing the City Auditor and Comptroller to expend, during the Fiscal Year 2000, an amount not to exceed \$247,541 from Fund 102240 for the agreement;

Authorizing the City Auditor and Comptroller, if the necessary funds are appropriated, to expend \$247,541 per year for the second through the fifth years of the agreement.

**NOTE:** 6 votes required pursuant to Section 99 of the City Charter.

NOTE: The public hearing is open for the second reading/adoption due to noticing requirements.

**CITY MANAGER SUPPORTING INFORMATION:**

Based on the vehicle traffic reduction goal identified in the Balboa Park Master Plan, the City Council instituted trolley service in the park in April 1991 and authorized the City Manager to execute an agreement with Old Town Trolley Tours of San Diego as the owner/operator of the tram system. The decision to contract with this private company for trolley services in the park, rather than establish a City-owned and operated system, was the result of several key factors. First, the company brings a broad base of knowledge and experience through its operation of similar tram systems across the United States. Second, this service provider maintains an

extensive fleet of trolley vehicles in San Diego that can be used to support the park's tram system and assure the continuous service level stipulated in the agreement. Finally, the company has the singular distinction of being the only nationally recognized company providing theme vehicles unique to heritage tourism.

As a mature operation in Balboa Park, Old Town Trolley Tours of San Diego has developed a comprehensive understanding of the City's vehicle reduction program goals. In addition, the company is aware of and sensitive to the particular transportation needs of park visitors. The company has also established a proven track record of consistent, high quality and courteous trolley service to Balboa Park visitors. Since inauguration of the tram system, the trolleys have logged in excess of 432,866 miles. The company has provided service on a daily basis and has accommodated over 1,590,388 passengers who used the trolleys to access the park's museums and other attractions.

City Council adoption of a resolution authorizing the execution of this Agreement with Old Town Trolley Tours of San Diego will provide continued operation of the Balboa Park tram system for a five year period. The company has repeatedly been recognized as one of the superior service providers in San Diego and in 1996 received the prestigious Finest Service Award in the Group Services Category from the San Diego Convention and Visitors Bureau.

**FISCAL IMPACT:**

Funds in the amount of \$247,541 for the first year of operation are budgeted within the Engineering and Capital Projects/Public Building and Park TOT Funds. Operation for the second through fifth year would be contingent upon approval of an annual appropriation of \$247,541 for a total of \$1,237,705 for five years.

Culbreth-Graft/McLatchy/MJB

Aud. Cert. 2000475.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

Hearing began at 3:42 p.m. and halted at 3:50 p.m.

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-212: The Beeler Canyon Future Urbanizing Area.

Initiation of a precise plan for the Beeler Canyon Future Urbanizing Area and an Amendment to the Progress Guide and General Plan.

(District-7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the initiation of the precise plan:

(R-2000-565) ADOPTED AS RESOLUTION R-292556

Adoption of a Resolution initiating preparation of the Beeler Canyon Precise Plan as an amendment to the Progress Guide and General Plan.

A recommendation from the Planning Commission on the initiation of a Precise Plan for Beeler Canyon is scheduled for December 2, 1999.

There is no officially recognized community planning group for this area.

**CITY MANAGER SUPPORTING INFORMATION:**

The 2,500-acre Beeler Canyon area east of Scripps Ranch and north of the Miramar Air Station is classified as Future Urbanizing Area (FUA) by the City's Progress Guide and General Plan. On March 30, 1999 and September 13, 1999, the City received development applications from the Pacific Land Investment Company and McMillin Homes/General Dynamics, respectively, for two residential subdivisions in the Beeler Canyon FUA. Surrounding community organizations requested that the City and the prospective developers undertake the preparation of a

comprehensive plan to address open space, traffic, access, public facilities, and other issues. Both Pacific Land and McMillin have agreed to work with City staff to prepare a precise plan for the area. The precise plan would be processed concurrently with the development applications. Preparation of a comprehensive plan requires initiation by the Planning Commission or City Council, as described by Municipal Code Section 111.0703.

A 1,150-acre portion of the Beeler Canyon area was required to be set aside for preservation as a condition of the General Dynamics Corporation's New Century Center development agreement, approved by the City Council in November 1997. The development agreement provided a two-year time frame to establish a conservation bank on the property. The City was to share in the proceeds from the future sale of mitigation credits. The conservation bank has not yet been established. General Dynamics would like to amend the New Century Center development agreement to remove the conservation bank requirement. The affected 1,150-acre land area would instead be protected by the Beeler Canyon Precise Plan and associated tentative maps. An alternative means of compensating the City for the loss of money from the sale of mitigation credits will be required. Completion of the development agreement amendment would be required prior to or concurrent with approval of the precise plan. If the precise plan and development plans for Beeler Canyon are not approved, then establishment of the original conservation bank will be required.

**FISCAL IMPACT:**

None.

Culbreth-Graft/MK

**LEGAL DESCRIPTION:**

The project site is located east of the Scripps Miramar Ranch and Miramar Ranch North communities, south of the City of Poway, and north of the Miramar Marine Corps Air Station.

**NOTE:** This activity is not a "project" and is therefore exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(1).

FILE LOCATION: LAND - Beeler Canyon Precise Plan [10]

COUNCIL ACTION: (Tape location: C083-342.)

Hearing began at 3:42 p.m. and halted at 3:50 p.m.

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-213: Exemption of Four Program Manager Positions in the Police Department from the Classified Service: (1) Communications, (2) Fiscal Management, (3) Strategic Planning & Management, and (4) Special Events.

(See memorandums dated 9/27/99, 10/25/99, 10/29/99, and 11/16/99.)

**CITY MANAGER'S RECOMMENDATION:**

Hold the first public hearing of the following ordinance:

(O-2000-88) HEARING HELD, TO BE INTRODUCED AND ADOPTED ON  
DECEMBER 7, 1999

Amending Ordinance No. O-18667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1999-2000 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. OO-18667 to add four Program Manager positions in the Police Department, and exempting said positions from the Classified Service.

**CITY MANAGER SUPPORTING INFORMATION:**

Upon his appointment last spring, Chief Bejarano initiated a process to evaluate the Department's structure in terms of executive and managerial assignments and responsibilities. The goal of this effort was to create an organizational structure which would foster a higher level of service internally and externally, further evolve neighborhood policing and problem solving philosophies and strategies, enhance communication and balance workload based upon current priorities and needs. As a result, executive staff responsibilities were shifted, and a number of new or modified

managerial assignments emerged. To address these changes, it is recommended that: 1) a Program Manager for Communications be created to replace what has for some time been a sworn assignment filled by a Police Captain; 2) a Program Manager for Fiscal Management be created, upgrading and replacing what has been an unrepresented, classified position of Administrative Services Manager; and 3) a Program Manager for Strategic Planning and Management be created, expanding the responsibilities of the Police Special Projects Manager, an unrepresented, classified position. Additionally, it is requested that one Program Manager for Special Projects be exempted.

The incumbent in this position was previously transferred from the Employee Relations and Special Projects Business Center to the Police Department to manage capital campaign fund raising efforts for Department projects and major national and international events, and to administer corporate sponsorships and private donations to Department programs. On November 4, 1999 the Civil Service Commission approved a request from the Police Chief to exempt these four (4) Program Manager Positions from the Classified Service.

Uberuaga/Bejarano/CL

**NOTE:** Today's action is the first public hearing of the ordinance. See Item 337 on the docket of Tuesday, December 7, 1999 for the second public hearing and introduction and adoption of the ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C083-342.)

CONSENT MOTION BY WARDEN TO ADOPT ITEMS -150, -151, -152, -153, -154, -155, -202, -203, -204, -205, -206, -207, -209, AND -212; INTRODUCE THE ORDINANCE IN ITEM 201; DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN ITEM 211; APPROVE THE HEARING FOR ITEM 213; AND REFER ITEMS 214 AND 217 TO CLOSED SESSION ON DECEMBER 7, 1999. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-214: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY,  
DECEMBER 7, 1999

Conference with Real Property Negotiator, pursuant to California Government  
Code Section 54956.8:

Property: Lot 9, Eastgate Technology Park

Agency Negotiator: City Manager and appointed negotiating team.

Negotiating Parties: City of San Diego and Village Builders 98.

Under Negotiation: Price and terms for sale of leasehold interest  
Lot 9, Eastgate Technology Park.

Prior to Council discussion in Closed Session and in compliance with the Brown  
Act, (California Government Code Section 54956.8) this issue is listed on the  
docket for public testimony **only**.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public  
wishing to address the Council on this subject; 2) Conclude and close the public  
hearing; and 3) Refer the matter to Closed Session on December 7, 1999.

**NOTE:** Members of the public wishing to address the Council on this item should speak  
"in favor" or "in opposition" to the subject.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C083-342.)

Mayor Golding closed the hearing.

ITEM-215: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY,  
DECEMBER 7, 1999

Conference with Real Property Negotiator, pursuant to California Government  
Code Section 54956.8:

Property: Brown Field Airport.

Agency Negotiator: City Manager and appointed negotiating team.

Negotiating Parties: City of San Diego and Brown Field Aviation Park, LLC.

Under Negotiation: Price and Terms for lease of Brown Field.

Prior to Council discussion in Closed Session and in compliance with the Brown  
Act, (California Government Code Section 54956.8) this issue is listed on the  
docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public  
wishing to address the Council on this subject; 2) Conclude and close the public  
hearing; and 3) Refer the matter to Closed Session on December 7, 1999.

**NOTE:** Members of the public wishing to address the Council on this item should speak  
"in favor" or "in opposition" to the subject.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E625-F107.)

Mayor Golding closed the hearing.

ITEM-216: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY,  
DECEMBER 7, 1999

Conference with Real Property Negotiator, pursuant to California Government  
Code Section 54956.8:

Property: East Village Area of Downtown San Diego bounded by J Street,  
Seventh Avenue, Harbor Drive and Tenth Avenue (new ballpark).

Agency Negotiator: City Manager and City Negotiation Team  
(Resolution No. R-289758).

Negotiating Parties: City of San Diego and San Diego Padres.

Under Negotiation: Price and Terms.

Prior to Council discussion in Closed Session and in compliance with the Brown  
Act, (California Government Code Section 54956.8) this issue is listed on the  
docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public  
wishing to address the Council on this subject; 2) Conclude and close the public  
hearing; and 3) Refer the matter to Closed Session on December 7, 1999.

**NOTE:** Members of the public wishing to address the Council on this item should speak  
"in favor" or "in opposition" to the subject.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: F108-113.)

Mayor Golding closed the hearing.

ITEM-217: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY,  
DECEMBER 7, 1999

Conference with Real Property Negotiator, pursuant to California Government  
Code Section 54956.8:

Property: Qualcomm Stadium.

Agency Negotiator: City Manager and City Negotiation Team  
(Resolution No. R-289758).

Negotiating Parties: City of San Diego and San Diego Padres.

Under Negotiation: Price and terms.

Prior to Council discussion in Closed Session and in compliance with the Brown  
Act, (California Government Code Section 54956.8) this issue is listed on the  
docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public  
wishing to address the Council on this subject; 2) Conclude and close the public  
hearing; and 3) Refer the matter to Closed Session on December 7, 1999.

**NOTE:** Members of the public wishing to address the Council on this item should speak  
"in favor" or "in opposition" to the subject.

FILE LOCATION: MEET (61)

COUNCIL ACTION: (Tape location: C083-342.)

Mayor Golding closed the hearing.

ITEM-218: Actions related to the Proposed Downtown Property and Business Improvement District.

(Centre City Community Area. Districts-2, 3 & 8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-653) CONTINUED TO JANUARY 31, 2000

Adoption of a resolution submitting property owner petitions requesting that proceedings be initiated to establish a Property and Business Improvement District in downtown San Diego in accord with provisions of the Property and Business Improvement District Law of 1994.

Subitem-B: (R-2000-654) CONTINUED TO JANUARY 31, 2000

Adoption of a resolution that an Advisory Board for the downtown PBID is hereby appointed, the members of which shall be set forth on the attached Exhibit "A", to serve a term of five years or for so long as the PBID is in place.

Subitem-C: (R-2000-655) CONTINUED TO JANUARY 31, 2000

Adoption of a resolution preliminarily approving a detailed engineer's report supporting the proposed PBID that has been prepared by Terrance E. Lowell, a registered professional engineer certified by the State of California.

Subitem-D: (R-2000-656) CONTINUED TO JANUARY 31, 2000

Resolution of Intention to levy and collect assessments for Fiscal Year 2001 Annual Assessments on the Downtown Property and Business Improvement District and setting Monday, January 10, 2000 at 2 p.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California as the place for the public hearing.

Contingent upon affirmative findings at the Public Hearing:

Subitem-E: (R-2000-657) CONTINUED TO JANUARY 31, 2000

Adoption of a Resolution considering the protests, approving the map, confirming the assessments, and ordering the proposed activities.

Subitem-F: (R-2000-658) CONTINUED TO JANUARY 31, 2000

Resolution authorizing the City Auditor and Comptroller is hereby authorized to establish the Downtown Property and Business Improvement District Fund.

Subitem-G: (R-2000-659) CONTINUED TO JANUARY 31, 2000

Authorizing the City Manager be authorized and directed to execute, for and behalf of the City, an agreement with the Downtown San Diego Partnership, for the administration of contracts for goods and services for the Downtown Property and Business Improvement District, for a period of five years.

**ENVIRONMENTAL IMPACT:**

This action is Categorically Exempt from CEQA pursuant to the CEQA Guidelines Section 15301, Existing Facilities.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO JANUARY 31, 2000 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-250: Notice of Completion and Acceptance.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

<u>SUBDIVISION</u>	<u>AREA</u>
Tierrasanta Norte I, Unit No. 1	Tierrasanta Community
Lusk Mira Mesa Residential Unit No.2	Mira Mesa Community

The certification shall be made 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the City Manager or to the Subdivision Engineer, Engineering Department, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

ITEM-S400: Recognizing Catholic Charities 80th Anniversary.

**COUNCILMEMBER KEHOE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-703) ADOPTED AS RESOLUTION R-292557

Proclaiming December 6, 1999 to be "Catholic Charities Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\*ITEM-S401: Sharp Memorial Cardiac Rehabilitation Program Day.

**DEPUTY MAYOR WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-713) ADOPTED AS RESOLUTION R-292558

Proclaiming Saturday, December 11, 1999 to be "Sharp Memorial Cardiac Rehabilitation Program Day" in San Diego, in recognition of the outstanding commitment to quality health care and the rehabilitation of patients by the staff of Sharp Memorial Cardiac Rehabilitation Program.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\*ITEM-S402: BRAVO! San Diego Day.

**DEPUTY MAYOR WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-623) ADOPTED AS RESOLUTION R-292559

Proclaiming Saturday, November 20, 1999 to be "BRAVO! San Diego Day" in San Diego, in recognition of the many prominent contributions that have been made to the arts and culture of our city.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\*ITEM-S403: Acapulco Challenge Day.

**DEPUTY MAYOR WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-553) ADOPTED AS RESOLUTION R-292560

Proclaiming Saturday, November 13, 1999 to be "Acapulco Challenge Day" in San Diego, in recognition of the seafaring tradition of our two nations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\*ITEM-S404: North Park Toyland Parade Day.

**COUNCILMEMBER KEHOE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-683) ADOPTED AS RESOLUTION R-292561

Recognizing the outstanding contribution that the North Park Toyland Parade has made to enrich the lives of people living in North Park;

Proclaiming December 4, 1999 to be "North Park Toyland Parade Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B297-C082.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:54 p.m. in honor of the memory of:

Jan Loesel as requested by Council Member Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G399-408).